

**Village of Croton-on-Hudson
Minutes of the Planning Board
December 23, 2014**

Present: Rob Luntz, Chairman
Bruce Kauderer
Steve Krisky
Janet Mainiero
Rocco Mastronardi

1. Chairman Luntz called the meeting to order at 8:03 p.m.

2. OLD BUSINESS

*a) Jessica & Eric Roppa -- 31 Lower North Highland (Sec. 67.20 Blk 2 Lot 5)—
Application for Minor Site Plan Approval, Steep Slopes, Tree Removal,
Excavation and Fill permits for construction of new single family dwelling.*

Mr. Ron Wegner, consulting engineer, noted that based on the discussion from the Planning Board meeting on December 9th, he was able to keep a few of the trees.

With respect to the Board's thoughts on the stonewall, he was able to put back some of the stone wall so there would be continuity on one side of the property and it would blend in with the landscaping. He had tried to save some of the wall near the driveway but it didn't work well with the design.

Chairman Luntz noted that the board appreciated the efforts made in preserving some of the wall. The Planning Board made no further comments.

The Village Engineer noted that Condition (3e) requiring a percolation test in the draft resolution could be deleted since this was no longer necessary.

Mr. Krisky made a motion to grant approval for the Minor Site Plan resolution, as amended by the deletion of Condition 3e (percolation test), seconded by Mr. Kauderer, and voted all in favor by a vote of 5-0.

b) b) Mussa, Rey—205 South Riverside Avenue (Sec.78.12 Blk. 3 Lot 6)—Final approval for sign application.

Chairman Luntz stated that he had received an e-mail message from Doug Wehrle, chairman of the VEB, stating that the VEB's comments were not available for the meeting tonight since the revised application for signage had been submitted too late.

Although Mr. Kauderer expressed concern about the delay, the Village Engineer noted that there was a lot of work still to be completed on the site and waiting until the next meeting would not delay the opening of the business.

3. NEW BUSINESS

*a) Nikic, John--29 Lower North Highland (Sec. 67.20 Blk. 2 Lot 6)—
Application for Minor Site Plan Approval, Tree removal, and Exavation and
Fill permits for construction of new single-family dwelling.*

Mr. Ron Wegner, consulting engineer, presented the application for a Minor Site Plan for a single family dwelling. Mr. Wegner noted that the house was designed to match what was approved for the subdivision with just a few minor changes. There were at present only basement plans, no floor plans.

Mr. Kauderer noted that a couple of the bigger trees were going to be removed and asked if it was possible to save them.

There was a discussion of building a retaining wall that would save some of the trees. Mr. Wegner stated that he could not save #2057 (Red Maple) because it was too close to the house, but he was confident that #2055 (Black Oak) could be saved. He would also take a look at #2071 (Black Oak) and #2070 (Sugar Maple) to see if these trees could be saved. The members of the board agreed that by preserving natural growth, the beauty of this area could be maintained.

With respect to the house design, the majority of the board believed that in its capacity as the architectural review board, the house was very plain and had greater potential to be more attractive, especially in this part of the village and its location near the road. Chairman Luntz commented that there was a lack of attention to proportion and detail in the front of the house. The Board recommended that the applicant consult an architect to assist in design and aesthetic appeal. Chairman Luntz stated that the Planning Board would also like to see floor plans. Mr. Wegner responded that he would report the Board's response regarding the trees and the house architecture to Mr. Nikic.

4. REFERRALS

*a) Village Board referral regarding a Special Permit for Mixed-Use Building at
370 South Riverside Avenue (Sec. 79.13 Blk. 1 Lot 70)—Lead agency
declaration and request for comments.*

Ms. Heike Schneider, architect for the applicant, presented the application on behalf Mr. Abby Razghandi (owner) who was also present. The special permit application is for a 1½ story addition to the existing deli. The applicant is proposing six apartments; one is handicap accessible, the other five on the second and third story. The overall design will conform to the neighborhood with brick on the front façade and clapboard on the siding and second story. As per a discussion with the Village Engineer, three variances will be required:

1. Based on design guidelines in the Harmon/South Riverside Gateway area, the street level facade of the front of any building must have at least 60% glass

coverage. This building has two street sides and therefore the glass percentages apply to both sides. Due to the interior layout of the store, the Benedict Blvd side does not meet the 60% minimum, and therefore a variance will be required.

2. The second variance is a side yard setback variance because the existing building is off the property line by a couple of feet. Section 230-35 in the code specifies that there has to be either a zero setback or 10 feet minimum requirement.

3. The third variance is from the minimum front yard setback requirement of 15 feet (10 feet for existing buildings) and maximum front yard setback of 20 feet. The building is pre-existing and the front yard is greater than twenty feet.

Chairman Luntz asked about the structural integrity of the building with respect to building two more stories on top of the existing building. Ms. Heike responded that the building is structurally very sound given the 10 x 14 steel beam in the basement.

Mr. Kauderer stated that the parking seemed tight. The Village Engineer stated that there is a municipal lot in the back of the firehouse in addition to the lot at the end of Benedict Boulevard. The Planning Board members recommended that there be designated parking spaces for the tenants (with signage) given the availability of public parking. The Planning Board also recommended that the employees of the deli park in the public lots. Ms. Mainiero recommended that the Village Board consider directional signage for the municipal lots.

Chairman Luntz asked how much of the basement was used for storage to which the applicant stated that nothing at present was in the basement. After a brief discussion, the Planning Board recommended that the architect and applicant evaluate the possibility of storage space in the basement for tenants.

The Planning Board reviewed the criteria for a special permit as written in section 230-58:

1. The proposed project was accessible to fire and police protection.
2. The proposed building will require three variances as noted above.
3. The parking for the proposed building comprises of 9 existing spots and one handicap accessible space. Recommendations for parking were noted as stated above.
4. The compatibility of the location and height of the proposed building is consistent with the other adjacent properties and the zoning district requirements except as noted in Criteria 2.
5. A storm water drainage plan will be required.

Mr. Kauderer made a motion that the Planning Board consents to the Village Board being lead agency, and that the Planning Board finds this project to be in compliance with Section 230-58 as discussed. The Planning Board recommends that the Village Board grant a special permit with the following recommendations: 1) that the

Planning Board Meeting
December 23, 2014

applicant applies for the variances required, 2) that the applicant evaluate lighting and signage for the municipal parking lot, and 3) that the applicant evaluate the possibility of basement storage for tenants' use. Ms. Mainiero seconded the motion, and the vote carried, all in favor, 5-0.

*b) Village Board referral regarding a zoning amendment, Local Law
Introductory 4 of 2014-Customary Home Occupations, existing small lots.*

The Planning Board agreed with the Village Engineer that the word "customarily" should be added to the definition of "Customary Home Occupations."

The Planning Board discussed the off-street parking requirements for customary home occupations and the board recommended that there be some flexibility provided in the parking requirement to allow an employee and/or visitors to park on the street if sufficient on-street parking is available. This then would eliminate the need for additional off-street parking in some cases.

The Village Engineer explained that the amendment to the zoning code regarding existing small lots was for the purpose of making the zoning code consistent. Existing small lots criteria were available in all other zoning districts, and now that there is a RA-60 zoning district, the same automatic variance provision needs to be available for RA-60 lots. The zoning amendment covers the RA-40 lot (now RA-60) in the Duce subdivision that got preliminary subdivision approval but not final subdivision approval.

Mr. Kauderer made a motion to recommend the zoning amendments on customary home occupations and existing small lots, with the recommendation that pertaining to customary home occupations that the definition should contain the word "customarily" and that there be greater flexibility in parking so as to take advantage of on-street parking when available, seconded by Mr. Krisky, and carried, all in favor, by a vote of 5-0.

5. APPROVAL OF MINUTES

Mr. Krisky made a motion to accept the minutes of December 9, 2014 as amended, seconded by Mr. Mastronardi, and carried, all in favor, by a vote of 5-0.

6. ADJOURNMENT

There being no more business to come before the Board, the meeting was duly adjourned at 10:05 p.m.

Respectfully submitted,

Ronnie L. Rose
Planning Board Secretary